



PATENT
Customer No. 22,852
Attorney Docket No. 09963.0008

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Hennequin et al.)
Application No.: 10/571,991) Group Art Unit: 4161
Filed: March 15, 2006) Examiner: WILLIS, Douglas M.
For: QUINAZOLINE DERIVATIVES) Confirmation No.: 5523
)
)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Supplemental Information Disclosure Statement Under 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents on the attached listing. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

A copy of each of the listed non-patent literature documents is attached. A copy of the U.S. patents and publications are not enclosed.

Applicants note the following copending applications, publications of which are submitted herewith:

US Application No.	Publication Date	PCT/US Publications	Attorney Docket No.
10/508,675	September 22, 2004 September 29, 2005	WO 03/082831 US 2005/0215574A1	09963.0002-00000
10/857,342	June 1, 2004 July 25, 2005 December 12, 2006	WO 2005/012290 US 2005/0165035A1 US 7,148,230	09963.0007-00000
11/636,549	May 3, 2007	US 2007-0099943 A1	09963.0007-01000
10/572,048	March 15, 2006 February 15, 2007	WO 2005/028470 US 2007-0037837 A1	09963.0009-00000
10/573,352	March 24, 2006 February 22, 2007	WO 2005/030757 US 2007-0043010 A1	09963.0010-00000
11/884,923	August 23, 2007	WO 2006/090163	09963.0033-00000

With respect to the non-English language documents listed on the attached,
Applicants submit the following remarks:

1. WO 02/066445 - An English language Abstract is on the face of this document and US 7,294,629 is believed to be a US counterpart.
2. WO 02/062767 - An English language Abstract is on the face of this document.
3. WO 02/18376 - An English language Abstract is on the face of this document and CA 2417097 A1, which is believed to be a Canadian counterpart, is submitted herewith.
4. WO 02/18373 - An English language Abstract is on the face of this document and CA 2417050 A1, which is believed to be a Canadian counterpart, is submitted herewith.
5. WO 02/18372 - An English language Abstract is on the face of this document and CA 2417652 A1, which is believed to be a Canadian counterpart, is submitted herewith.

6. WO 02/18370 - An English language Abstract is on the face of this document and CA 2417042 A1, which is believed to be a Canadian counterpart, is submitted herewith.

7. WO 02/18351 - An English language Abstract is on the face of this document and CA 2417897 A1, which is believed to be a Canadian counterpart, is submitted herewith.

8. WO 00/78735 - An English language Abstract is on the face of this document and CA 2375259 A1, which is believed to be a Canadian counterpart, is submitted herewith.

9. WO 00/68203 - An English language Abstract is on the face of this document and US 6,627,651 is believed to be a US counterpart.

10. WO 00/09481 - An English language translation of the claims of this document is submitted herewith.

11. WO 92/14746 - An English language Abstract is on the face of this document.

12. WO 88/02365 - An English language Abstract is on the face of this document and EP 0 288 563 A1, which is believed to be a European counterpart, is submitted herewith.

13. JP 11-189586 - An English language machine translation is submitted herewith.

14. Office Action in Japanese Patent Appln. No. 2003-580299, mailed May 11, 2006 - An English language translation of this document is submitted herewith.

15. Response to Office Action in Japanese Patent Appln. No. 2003-580299, filed July 28, 2006 - An English language translation of this document is submitted herewith.

16. Office Action in Chinese Patent Appln. No. 03811739.8, dated July 21, 2006 - An English language translation of this document is submitted herewith.

Applicants bring to the attention of the Office Patent Interference No.105,595 and Patent Interference No.105,596. Those interferences were initiated and consolidated by the Declaration dated November 21, 2007, and involved the present Assignee's US Application No. 10/508,675 (submitted herewith) and Boehringer Ingelheim's U.S. Patent No. 6,924,285 and U.S. Patent No. 7,119,084, respectively.

On June 17, 2008, the Board issued a single Judgment applicable to both those interferences, wherein the Board ordered that judgment on priority on all Counts was awarded against the present Assignee's US Application No. 10/508,675 (in the name of Bradbury et al.) and the claims of the present Assignee's involved application were finally refused. A copy of that Decision is submitted herewith.

The earlier filed US Application No. 10/508,675, in the name of the present Assignee, is believed to disclose a genus of compounds that encompasses the presently claimed species and salts. Applicants believe that the presently claimed subject matter of pending claims 38-71 is patentable over the subject matter of the lost Counts in those interferences and all the claims of both parties designated as corresponding to those counts during the interferences.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should any of the document be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: July 14, 2008

By: 
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